

SEC. 573. CLARIFICATION OF AUTHORITY OF A RESERVE
JUDGE
ADVOCATE TO ACT AS A MILITARY NOTARY PUBLIC
WHEN
NOT IN A DUTY STATUS.

Section 1044a(b) of title 10, United States Code, is amended—

- (1) in paragraph (1), by striking out "on active duty or performing inactive-duty training" and inserting in lieu thereof "including reserve judge advocates when not in a duty status";
- (2) in paragraph (3), by striking out "adjutants on active duty or performing inactive-duty training" and inserting in lieu thereof "adjutants, including reserve members when not in a duty status"; and
- (3) in paragraph (4), by striking out "persons on active duty or performing inactive-duty training" and inserting in lieu thereof "members of the armed forces, including reserve members when not in a duty status".

SEC. 574. PANEL ON JURISDICTION OF COURTS-MARTIAL
FOR THE
NATIONAL GUARD WHEN NOT IN FEDERAL
SERVICE.

- (4) ESTABLISHMENT.—The Secretary of Defense shall establish a panel to review the various authorities for court-martial and nonjudicial punishment jurisdiction for the National Guard not in Federal service and the use of those authorities.

- (5) MEMBERSHIP.—The Secretary shall appoint the members of the panel so as to ensure representation of the following:

- (6) The State Adjutants General of the National Guard.

- (7) The State Attorneys General.

- (3) The Joint Service Committee on Military Justice of the Department of Defense.

- (c) DUTIES.—Matters reviewed by the panel shall include the following:

- (8) The extent of the use of court-martial and nonjudicial punishment authority for the National Guard not in Federal service.

- (9) The extent to which the authority used is—
- (10) authority under title 32, United States Code; or
- (11) authority under State law.

- (d) REPORT.—(1) Not later than February 1, 1997, the panel shall submit a report on the panel's findings and conclusions to the Secretary of Defense.

- (2) The report shall include for recommended legislation amending title 32, United States Code—

- (12) to increase the uniformity in State use of courts-martial and nonjudicial punishment for the National Guard when not in Federal service; and

- (13) to achieve increased comparability between

the court-martial and nonjudicial punishment procedures that are applicable to the National Guard not in Federal service and the court-martial and nonjudicial punishment procedures that are applicable under the Uniform Code of Military Justice to the National Guard in Federal service.

(e) SUBMISSION OF REPORT TO CONGRESS.—Not later than March 1, 1997, the Secretary of Defense shall submit to Congress the report of the panel under subsection (d) together with the views of the Secretary regarding the report and the matters covered in the report.